



Legislation Text

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Res. No. 225

Resolution calling upon the Legislature of the State of New York to amend the Vehicle and Traffic Law to require national background checks and fingerprinting of all applicants to drive limousines, for-hire cars and taxicabs licensed by the New York City Taxi and Limousine Commission.

By Council Members Vallone Jr., Nelson and Halloran

Whereas, As of 2010 according to the Taxi and Limousine Commission (TLC), in order for an applicant to become a licensed limousine driver in New York City, he or she must pass a Department of Motor Vehicles defensive driving test, be at least 19 years of age and have a New York State, New Jersey, Connecticut or Pennsylvania chauffeur's driver's license and an original Social Security card; and

Whereas, The TLC also requires that an applicant's fingerprints be taken and sent to the New York State Division of Criminal Justice Services (DCJS), which conducts a criminal background check that is confined to detecting convictions or arrests that occurred in New York State; and

Whereas, As first reported by the *Daily News* in 2004, people with convictions, including major felonies, in other states who move to New York State would not be detected unless they had informed their parole officer that they were moving to the State; and

Whereas, Within the past five years, the Federal Bureau of Investigation (FBI) and the Department of Homeland Security have issued bulletins to police and other government officials nationwide warning that terrorists have considered using rental vehicles, limousines, and vehicles with large storage capacity to conceal bombs; and

Whereas, According to the FBI, the limousines would not attract as much suspicion as a cargo van, but would have enough trunk space to hold a sizable bomb capable of doing considerable damage; and

Whereas, Despite the possibility that terrorists may use limousines to carry bombs, the *New York Daily News* claimed to find “glaring holes in the TLC’s security checks that would-be terrorists could easily exploit;” and

Whereas, DCJS reports that applicants seeking to drive for-hire cars and taxicabs licensed by the TLC also do not undergo FBI background checks and only their New York State criminal arrests and convictions can be investigated; and

Whereas, The President of the Center for National Policy, an organization that advises the federal government on the country’s most important national security issues, states that the current procedures for processing applicants to drive for-hire cars and taxicabs licensed by the TLC would not enable city investigators to flag a terrorist or criminal on the FBI’s watch list; and

Whereas, The *Daily News* also asserts that New York State “has the authority and the capability to conduct FBI background checks,” such as in the case of “applicants for civil service jobs in New York City and applicants for any job with the City's Department of Education;” and

Whereas, The DCJS affirms that expanding TLC’s authority to include FBI background checks would require approval from the New York State Legislature; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Legislature of the State of New York to amend the Vehicle and Traffic Law to require national background checks and fingerprinting of all applicants to drive limousines, for-hire cars and taxicabs licensed by the New York City Taxi and Limousine Commission.

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